

SENATE AMENDMENTS

2nd Printing

By: Morrison

H.B. No. 3636

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the transfer of certain state property from the Texas
3 Department of Criminal Justice to DeWitt County.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. (a) Not later than December 31, 2029, and
6 subject to Subsections (b), (c), and (d) of this section, the Texas
7 Board of Criminal Justice shall transfer to DeWitt County the real
8 property described by Section 2 of this Act.

9 (b) The transfer authorized by Subsection (a) of this
10 section must be for consideration in an amount not less than the
11 fair market value of the property. The historical fair market value
12 of the real property as of December 2, 1992, shall be offered to
13 establish the fair market value of the property.

14 (c) The General Land Office shall negotiate and close a
15 transaction under this section on behalf of the Texas Board of
16 Criminal Justice.

17 (d) Section 31.158, Natural Resources Code, does not apply
18 to a transaction under this section.

19 SECTION 2. The real property held by the Texas Department of
20 Criminal Justice is land being situated in DeWitt County, Texas,
21 and more particularly described as follows:

22 BEING all that certain parcel or tract containing 100.00 Acres of
23 land out of the Samuel Lockhart League A-28 located in DeWitt
24 County, Texas, and being out of the easterly portion of a called

1 464.03-Acre tract described in deed to the Texas Department of
2 Criminal Justice-State of Texas from the City of Cuero recorded in
3 Vol. 360 Page 139 in the deed records of said County;

4 Said 100.00-Acre tract being bounded as follows:

5 1. On the north, by the northerly line of a said 464.03-Acre
6 tract;

7 2. On the east, by the easterly line of said 464.03-Acre
8 tract;

9 3. On the south, by the southerly line of said 464.03-Acre
10 tract;

11 4. On the west, by a line being perpendicular to the
12 southerly line of said 464.03-Acre tract, at a location
13 sufficiently west of the easterly line of said 464.03-Acre tract so
14 as to include exactly 100.00 Acres of land.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2019.

ADOPTED

MAY 22 2019

Leta Spaw
Secretary of the Senate

By: *L. W. Kyle*

H.B. No. 3636

Substitute the following for H.B. No. 3636 :

By: Senator Whitmire

C.S. H.B. No. 3636

John Whitmire

BILL TO BE ENTITLED

AN ACT

1
2 relating to the transfer of jurisdiction over and management of the
3 Star of the Republic Museum to the Texas Historical Commission and
4 the transfer of certain state property from the Texas Department of
5 Criminal Justice to DeWitt County.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Chapter 442, Government Code, is amended by
8 adding Subchapter B-1 to read as follows:

9 SUBCHAPTER B-1. STAR OF THE REPUBLIC MUSEUM

10 Sec. 442.061. DEFINITION. In this subchapter, "museum"
11 means the Star of the Republic Museum.

12 Sec. 442.062. JURISDICTION AND MAINTENANCE OF MUSEUM. (a)
13 The museum and its contents are under the jurisdiction of the Texas
14 Historical Commission. The commission is responsible for the
15 preservation, maintenance, and operation of the museum.

16 (b) Notwithstanding Subsection (a), Blinn College District
17 maintains ownership of the museum, the land on which the museum is
18 located, and the artifacts in the museum.

19 (c) Except as provided by Subsection (b), any power or duty
20 related to the museum formerly vested in any other state agency or
21 entity is vested solely in the commission.

22 (d) The commission shall, in coordination with an advisory
23 committee appointed by the board of trustees of the Blinn College
24 District, promote the educational and public awareness programs at

1 the museum, the Washington-on-the-Brazos State Historic Site, and
2 the Barrington Living History Farm.

3 Sec. 442.063. GRANTS; DONATIONS. The commission may accept
4 a grant or donation for any program or purpose of the museum.

5 SECTION 2. (a) On January 1, 2020, the following are
6 transferred to the Texas Historical Commission:

7 (1) all powers and duties of Blinn College District
8 relating to the Star of the Republic Museum;

9 (2) all unobligated and unexpended funds
10 appropriated, donated, or contributed to Blinn College District
11 designated for the administration of any part of the Star of the
12 Republic Museum; and

13 (3) all files and other records of Blinn College
14 District kept by Blinn College District regarding the Star of the
15 Republic Museum.

16 (b) Notwithstanding any other law, Blinn College District
17 shall continue to perform functions and activities related to the
18 Star of the Republic Museum until January 1, 2020, and the former
19 law is continued in effect for that purpose.

20 SECTION 3. (a) Not later than December 31, 2029, and
21 subject to Subsections (b), (c), and (d) of this section, the Texas
22 Board of Criminal Justice shall transfer to DeWitt County the real
23 property described by Subsection (e) of this section.

24 (b) The transfer authorized by Subsection (a) of this
25 section must be for consideration in an amount not less than the
26 fair market value of the property. The historical fair market value
27 of the real property as of December 2, 1992, shall be offered to

1 establish the fair market value of the property.

2 (c) The General Land Office shall negotiate and close a
3 transaction under this section on behalf of the Texas Board of
4 Criminal Justice.

5 (d) Section 31.158, Natural Resources Code, does not apply
6 to a transaction under this section.

7 (e) The real property held by the Texas Department of
8 Criminal Justice is land being situated in DeWitt County, Texas,
9 and more particularly described as follows:

10 BEING all that certain parcel or tract containing 100.00 Acres of
11 land out of the Samuel Lockhart League A-28 located in DeWitt
12 County, Texas, and being out of the easterly portion of a called
13 464.03-Acre tract described in deed to the Texas Department of
14 Criminal Justice-State of Texas from the City of Cuero recorded in
15 Vol. 360 Page 139 in the deed records of said County;

16 Said 100.00-Acre tract being bounded as follows:

- 17 1. On the north, by the northerly line of a said 464.03-Acre
18 tract;
- 19 2. On the east, by the easterly line of said 464.03-Acre
20 tract;
- 21 3. On the south, by the southerly line of said 464.03-Acre
22 tract;
- 23 4. On the west, by a line being perpendicular to the
24 southerly line of said 464.03-Acre tract, at a location
25 sufficiently west of the easterly line of said 464.03-Acre tract so
26 as to include exactly 100.00 Acres of land.

27 SECTION 4. This Act takes effect immediately if it receives

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2019.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 23, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB3636 by Morrison (Relating to the transfer of jurisdiction over and management of the Star of the Republic Museum to the Texas Historical Commission and the transfer of certain state property from the Texas Department of Criminal Justice to DeWitt County.),
As Passed 2nd House

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 442 of the Government Code to transfer the preservation, maintenance, and operation of the Star of the Republic Museum from Blinn College to the Historical Commission. The bill would specify that Blinn College District maintains ownership of the museum, the land on which the museum is located, and the artifacts in the museum. The transfer would be effective beginning on January 1, 2020.

This analysis assumes that appropriations to Blinn College for operation of the museum would be transferred to the Historical Commission, including a transfer for a partial fiscal year 2020 and a full fiscal year 2021. In the 2018-19 General Appropriations Act, Blinn College is appropriated \$410,400 in General Revenue in each fiscal year of the biennium. The Historical Commission assumes 4.0 full-time-equivalent positions would be required to operate the museum. This analysis assumes funding for operations and the 4.0 FTE positions would be funded through the transfer in appropriations, excluding the cost for employee benefits.

The bill would direct the Texas Department of Criminal Justice (TDCJ) to transfer certain real property to DeWitt County for an amount not less than the fair market value, as outlined in the bill. According to TDCJ, there would be a one time revenue gain related to the sale of the property. The General Land Office estimates there would be a minimal cost associated with implementing the provisions of the bill.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 305 General Land Office and Veterans' Land Board, 696 Department of Criminal Justice, 808 Historical Commission, 954 Blinn Junior College

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 16, 2019

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB3636** by Morrison (relating to the transfer of jurisdiction over and management of the Star of the Republic Museum to the Texas Historical Commission and the transfer of certain state property from the Texas Department of Criminal Justice to DeWitt County.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 442 of the Government Code to transfer the preservation, maintenance, and operation of the Star of the Republic Museum from Blinn College to the Historical Commission. The bill would specify that Blinn College District maintains ownership of the museum, the land on which the museum is located, and the artifacts in the museum. The transfer would be effective beginning on January 1, 2020.

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Source Agencies: 305 General Land Office and Veterans' Land Board, 696 Department of Criminal Justice, 808 Historical Commission, 954 Blinn Junior College

LBB Staff: WP, LBO, SZ, AI, kvel, AF

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 14, 2019

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB3636** by Morrison (Relating to the transfer of certain state property from the Texas Department of Criminal Justice to DeWitt County.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would direct the Texas Department of Criminal Justice (TDCJ) to transfer certain real property to DeWitt County for an amount not less than the fair market value, as outlined in the bill. According to TDCJ, there would be a one time revenue gain related to the sale of the property. The General Land Office estimates there would be a minimal cost associated with implementing the provisions of the bill.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 305 General Land Office and Veterans' Land Board, 696 Department of Criminal Justice

LBB Staff: WP, LBO, SZ, AI, kvel, AF

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 1, 2019

TO: Honorable Tom Craddick, Chair, House Committee on Land & Resource Management

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB3636 by Morrison (Relating to the transfer of certain state property from the Texas Department of Criminal Justice to DeWitt County.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would direct the Texas Department of Criminal Justice (TDCJ) to transfer certain real property to DeWitt County for an amount not less than the fair market value, as outlined in the bill. According to TDCJ, there would be a one time revenue gain related to the sale of the property. The General Land Office estimates there would be a minimal cost associated with implementing the provisions of the bill.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 305 General Land Office and Veterans' Land Board, 696 Department of Criminal Justice

LBB Staff: WP, SZ, AI, kvel, AF